



Wisconsin - State Specific Information

Information provided is current as of January 7, 2026, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Not Legal
Recreational Use	Not legal
Legal Status	Despite 86% popular support, Wisconsin lacks a medical cannabis program. CBD oil is permitted only for specific medical conditions with a physician's certification.
	Possession: A first-offense possession charge of any amount is a misdemeanor (\$1,000 fine/6 months jail). Subsequent offenses are Class I Felonies.
	Decriminalization: Limited to local ordinances in cities like Madison (up to 28g) and Milwaukee, where fines are significantly reduced (often to \$1). State law still applies.

State Regulatory Agency Information

State Regulatory Agency	Wisconsin Department of Health
State Forms	None Specified

Employer Drug Testing

General Information	Private Employers: Have broad discretion to implement drug-free workplace policies, including pre-employment, random, and post-accident testing. A positive test can result in the denial of unemployment benefits or a reduction in workers' compensation indemnity if intoxication caused an accident. *Remember, establishing robust documentation is a key risk mitigant for employers in states like Wisconsin.
Safety Sensitive Positions	Employers are free to define these roles at their discretion. For positions involving machinery, driving, or public safety, zero-tolerance is the standard and is fully supported by state law.
Privacy Laws	Employers must handle test results confidentially and avoid disclosing them to unauthorized individuals. Additionally, the drug testing process itself should be conducted in a manner that respects employee dignity and privacy.